

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BOMBARDIER TRANSPORTATION
HOLDING USA, INC.

Employer

and

Case 04-RC-271607

AMERICAN TRAIN DISPATCHERS ASSOCIATION
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

LAUREN McFERRAN, CHAIRMAN

WILLIAM J. EMANUEL, MEMBER

JOHN F. RING, MEMBER

Dated, Washington, D.C., July 6, 2021

¹ The Employer contends that the Regional Director erred in relying on *Alternate Concepts, Inc.*, 358 NLRB 292 (2012), a recess-Board decision invalidated by *NLRB v. Noel Canning*, 573 U.S. 513 (2014). Although the Regional Director referenced *Alternate Concepts*, his decision made clear that he was not relying on that case. And even if the Regional Director's decision could be read to rely on *Alternate Concepts*, in denying review we do not rely on that case.